

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

DAMON ODEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:17-cv-00891-KOB-HNJ
	)	
SHERIFF JIMMY KILGORE, et al.,	)	
	)	
Defendants.	)	

**ORDER**

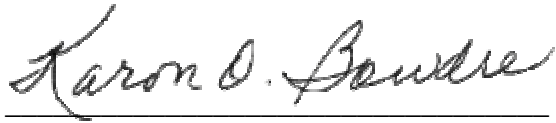
The magistrate judge entered a report on February 9, 2018, recommending that the plaintiff's claims be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief can be granted, except for the following claims: (1) the plaintiff's Fourteenth Amendment conditions of confinement claims against defendants Kilgore, Flowers, Smith, Brown, and Murphree; (2) the plaintiff's Fourteenth Amendment equal protection claims against defendants Kilgore and Flowers; (3) the plaintiff's First Amendment claim against defendant Liner concerning interference with his personal incoming mail; and (4) the plaintiff's supervisory claims against defendants Kilgore, Flowers, and Brown concerning defendant Liner's interference with his personal incoming mail. (Doc. 16). The magistrate judge recommended that the remaining claims be referred to him for

further proceedings. (*Id.*). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen days, the court received no objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court ADOPTS the magistrate judge's report and ACCEPTS his recommendation. The court DISMISSES the plaintiff's claims WITHOUT PREJUDICE, pursuant to 28 U.S.C. § 1915A(b)(1), EXCEPT for the following claims: (1) the plaintiff's Fourteenth Amendment conditions of confinement claims against defendants Kilgore, Flowers, Smith, Brown, and Murphree; (2) the plaintiff's Fourteenth Amendment equal protection claims against defendants Kilgore and Flowers; (3) the plaintiff's First Amendment claim against defendant Liner concerning interference with his personal incoming mail; and (4) the plaintiff's supervisory claims against defendants Kilgore, Flowers, and Brown concerning defendant Liner's interference with his personal incoming mail.

The court further REFERS the plaintiff's remaining claims to the magistrate judge for further proceedings.

DONE and ORDERED this 26<sup>th</sup> day of April, 2018.

A handwritten signature in black ink, reading "Karon O. Bowdre". The signature is written in a cursive style with a large initial "K".

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**KARON OWEN BOWDRE**  
CHIEF UNITED STATES DISTRICT JUDGE